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**FEB 03 2005**

**DATE: February 02, 2005**

**Your Ref: 09/868,177**

**Our Ref: 1038-1168 MIS:jb**

<b>TO:</b>	<b>FAX #</b>	<b>PHONE #</b>
US Patent Office Examiner: Zachariah Lucas Art/Group: 1648	1-703-872-9306	571-272-0905

**Total Number of Pages (Including This Page): 12**

**FROM: Michael I. Stewart / 239**

**COMMENTS:**

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February 2, 2005

Via Facsimile 1-703-872-9306

Commissioner of Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
U.S.A.

Attention: Examiner Zachariah Lucas

Dear Sir:

RE: US Patent Application No. 09/868,177  
Applicant: G. Gates  
Title: MULTIVALENT IMMUNOGENIC COMPOSITION CONTAINING  
RSV SUBUNIT COMPOSITION AND INFLUENZA VIRUS  
PREPARATION

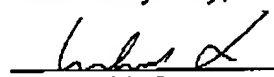
Further to our telephone conversation concerning a response to the Office Action of July 13, 2004, I confirm that a response to the Office Action was sent by courier to the PTO on October 7, 2004 and received October 12, 2004.

In this regard, I am enclosing a copy of the Transmittal form and Amendment, newly signed and dated, along with a copy of the return postcard showing delivery to the PTO.

We note that, while the Amendment correctly identifies the Application No. as 09/868,177, the Transmittal Form incorrectly identifies the Application No. as 09/868,188. It may be that the error has caused the application to be routed incorrectly within the PTO.

Any inconvenience caused to the Examiner is regretted.

Yours very truly,

  
Michael I. Stewart  
Reg. No. 24,973M.I. Stewart/jb  
Enclosure(s)

Date: October 7, 2004

Applicant: George A. Cates, et al.

Application No.: 09/868,177

Title: MULTIVALENT IMMUNOGENIC COMPOSITION CONTAINING RSV  
SUBUNIT COMPOSITION AND INFLUENZA VIRUS PREPARATION

New Appln, Cheque, Formal Papers: ( )

Retyped Required in Notice of Allowance: ( )

Final Fee: ( )

Other: Amendment

Due Date: October 13, 2004

Please place the official stamp of the Patent Office on this card and return it to us for our files to constitute an acknowledgment by the Patent Office of receipt of the above-identified papers on the date stamped.

SIM & MCBURNEY

1038-1168 MIS:jb



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PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/868,177	<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b> <b>FEB 03 2005</b>
	Filing Date	November 23, 2001	
	First Named Inventor	George A. Cates	
	Art Unit	1848	
	Examiner Name	Zachariah Lucas	
Total Number of Pages in This Submission	9	Attorney Docket Number	1036-1168 MIS:jb

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Michael I. Stewart (Reg. No. 24,973)	
Signature	<i>Michael I. Stewart</i>	
Date	February 2, 2005 <i>deputy signed on 2/05</i>	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
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FEB 03 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl'n. No. : 09/868,177 Confirmation No. 6952  
Applicant : George A. Cates et al.  
Filed : November 23, 2001  
Title : MULTIVALENT IMMUNOGENIC COMPOSITION  
CONTAINING RSV SUBUNIT COMPOSITION  
AND INFLUENZA VIRUS PREPARATION  
TC./A.U. : 1648  
Examiner : Zachariah Lucas  
Docket No. : 1038-1168 MIS/jb  
Customer No. : 24223  
Date : February 2, 2005 *Originally signed Dec 7/04*

**BY COURIER**

Mail Stop Amendment  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
U.S.A.

**AMENDMENT**

Sir:

In response to the Office Action of July 13, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.